

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA
v.
GARY EUGENE ALEXANDER, Jr.

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Case No. 3:11-CR-37-002
CHIEF JUDGE VARLAN

AGREED ORDER OF REVOCATION

A petition for Revocation of Supervised Release has been filed against the defendant, Gary Eugene Alexander, Jr. and the defendant admits that he has violated the terms of his supervised release by failing to follow the instructions of the probation officer, failing to meet or report to the probation officer in a timely or regular manner, and failing to make significant payments toward his Special Assessment. An agreement has been reached between the parties recommending that the defendant's supervised release be revoked and that he should receive a sentence of six (6) months incarceration followed by eighteen (18) months of supervised release. The original terms of supervised release will remain in effect.

The defendant waives his right to a hearing pursuant to Rule 32 of the Rules of Criminal Procedure, waives his right to allocute at a revocation hearing, and asks that the agreement of the defendant and the government pursuant to Rule 11 of the Federal Rules of Criminal Procedure be found to be a proper sentence.

This Court has considered the Chapter Seven policy statements in the United States Sentencing Guidelines. The violations committed by the defendant involved conduct that would be "Grade C" violations. The Revocation Guideline Range for the defendant is 6-12 months and

a Statutory Maximum of 2 years' imprisonment. The Court has also considered the factors listed in 18 U.S.C 3553(a).

The recommended sentence is within the recommended Revocation Guideline Range, and combined with a period of additional supervision, is sufficient to reflect the seriousness of the offenses, promote respect for the law and deter others who violate supervised release. Based on the foregoing, the Court finds that the recommended sentence is sufficient, but not greater than necessary to accomplish the purposes set forth in 18 U.S.C. 3553(a) while taking into consideration all of those factors and the Chapter Seven policy statements.

IT IS HEREBY ORDERED, therefore, that the defendant's supervised release is revoked. The defendant is sentenced to term of six (6) months incarceration followed by eighteen (18) months of supervised release. The defendant has been incarcerated since taken into custody by the U.S. Marshall on December 9, 2016, and shall be given jail credit from that date. The original terms of supervised release will remain in effect with the addition of the following special conditions:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation officer, until such time as he is released from the program by the probation officer. The defendant shall waive all rights to confidentiality regarding mental health treatment in order to allow release of information to the supervising United States Probation Officer and to authorize open communication between the probation officer and the mental health treatment provider.

2. The defendant shall take all medication prescribed by the treatment program as directed. If deemed appropriate by the treatment provider or the probation officer, the defendant

shall submit to quarterly blood tests, to determine whether he is taking the medication as prescribed.

It is further recommended by the Court and all undersigned parties that the defendant be given a psychological evaluation and any corresponding treatment consistent with that evaluation. Also, the Court recommends that the defendant be designated to the facility or facilities that the Bureau of Prisons deems most appropriate to effectuate those ends.

Enter this 19th day of January, 2017.




Hon. Thomas A. Varlan
Chief United States District Judge

APPROVED FOR ENTRY:



Cynthia F Davidson
Assistant U.S. Attorney



Charles A. Thomas
Attorney for Defendant



Gary Eugene Alexander, Jr.
Defendant



Nicholas P. Dongarra
U.S. Probation Office